

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TRANSPORTATION**

**Call to Order:** By **CHAIRMAN SHIELL ANDERSON**, on January 18, 1999  
at 3:00 P.M., in Room 420 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Shiell Anderson, Chairman (R)  
Rep. Gary Beck, Vice Chairman (D)  
Rep. Darrel Adams (R)  
Rep. Joe Barnett (R)  
Rep. Sylvia Bookout-Reinicke (R)  
Rep. Matt Brainard (R)  
Rep. Paul Clark (D)  
Rep. Robert C. Clark (R)  
Rep. Steven Gallus (D)  
Rep. George Golie (D)  
Rep. Marian Hanson (R)  
Rep. Donald L. Hedges (R)  
Rep. Carol C. Juneau (D)  
Rep. Gary Matthews (D)  
Rep. Frank Smith (D)  
Rep. Roger Somerville (R)  
Rep. Cliff Trexler (R)

**Members Excused:** Rep. Rick Jore.

**Members Absent:** None.

**Staff Present:** Leanne Kurtz, Legislative Branch  
Mary Lou Schmitz, Committee Secretary

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SB 10; HB 169; HB 259, Posted  
1-15-99

Executive Action: HB 18, TABLED; HB 169, TABLED; HB 208, TABLED; HB 187, DO PASS AS AMENDED; HB 172, DO PASS AS AMENDED; SB 10, BE CONCURRED IN.

#### HEARING ON SB 10

**Sponsor:** Senator Arnie Mohl, SD 39, explained this Bill would require a slow-moving vehicle traveling on an Interstate or a four-lane highway to travel in the right lane as far to the right as possible.

***{Tape : 1; Side : A; Approx. Time Counter : 0.4 - 1.5}***

**Proponents:** Dave Galt, Administrator of Motor Carrier Services, Department of Transportation.

***{Tape : 1; Side : A; Approx. Time Counter : 1.5 - 4.1}***

Bob Stephens, Montana Grain Growers' Association.

***{Tape : 1; Side : A; Approx. Time Counter : 4.1 - 4.6}***

**Opponents:** None

**Questions from Committee Members and Responses:** Rep. Juneau to Senator Mohl, Rep. Shiell Anderson to Sponsor and Dave Galt.

***{Tape : 1; Side : A; Approx. Time Counter : 4.6 - 7.2}***

**Closing by Sponsor:** Senator Mohl closed the Hearing on SB 10.

***{Tape : 1; Side : A; Approx. Time Counter : 7.2 - 8.4}***

#### EXECUTIVE ACTION ON HB 18

**Motion:** REP. HANSON moved HB 18 DO PASS.

***{Tape : 1; Side : A; Approx. Time Counter : 8.4 - 10}***

**Discussion:** Rep. Bookout-Reinicke.

**Motion/Vote:** REP. CLARK moved HB 18 TABLED. Motion carried 12-3 with Reps. Hanson, Somerville and Trexler voting no.

***{Tape : 1; Side : A; Approx. Time Counter : 10 - 11.7}***

Chairman Anderson asked how many Committee members are going to tour the Highway Patrol Facility Friday, 1-22-99, so cars can be available.

***{Tape : 1; Side : A; Approx. Time Counter : 11.7 - 13.9}***

#### HEARING ON HB 169

"AN ACT ELIMINATING THE REGULATIONS AND RESTRICTIONS ON THE ESTABLISHMENT, OPERATION, AND MAINTENANCE OF JUNKYARDS IN AREAS ADJACENT TO THE STATE'S HIGHWAYS."

**Sponsor:** Rep. Joe Quillici, HD 36, asked the Committee to hold or Table this Bill at this time.

**{Tape : 1; Side : A; Approx. Time Counter : 13.9 - 15.4}**

**EXECUTIVE ACTION ON HB 169**

**Motion/Vote:** REP. SOMERVILLE moved that HB 169 BE TABLED. Motion carried unanimously. 16-0

**{Tape : 1; Side : A; Approx. Time Counter : 15.4 - 15.9}**

**HEARING ON HB 259**

**Sponsor:** Rep. Royal Johnson, HD 10, said this Bill is at the request of Big Sky Airlines to set up a system to contract with the State of Montana to give a break on rates for state business travel.

**{Tape : 1; Side : A; Approx. Time Counter : 15.9 - 23.6}**

**Proponents:** Keith Colbo, Representative of Big Sky Airlines.

**{Tape : 1; Side : A; Approx. Time Counter : 23.6 - 26.5}**

**Opponents:** None

**Questions from Committee Members and Responses:** Rep. Paul Clark to Keith Colbo.

**{Tape : 1; Side : A; Approx. Time Counter : 26.5 - 29.5}**

**Closing by Sponsor:** Rep. Royal Johnson closed the Hearing on HB 259.

**{Tape : 1; Side : A; Approx. Time Counter : 29.5 - 30.7}**

**EXECUTIVE ACTION ON HB 187**

**Motion:** REP. BRAINARD moved that HB 187 DO PASS.

**{Tape : 1; Side : B; Approx. Time Counter : 30.8 - 30.9}**

**Motion/Vote:** REP. BRAINARD moved an AMENDMENT. Motion carried unanimously. 15-0

**{Tape : 1; Side : A; Approx. Time Counter : 30.9 - 34.4}**

**Motion/Vote:** REP. BRAINARD moved that HB 187 DO PASS AS AMENDED. Motion carried unanimously. 15-0

**{Tape : 1; Side : A; Approx. Time Counter : 34.4 - 34.9}**

**EXECUTIVE ACTION ON HB 172**

**Motion:** REP. ROBERT C. CLARK moved that HB 172 DO PASS.

**{Tape : 1; Side : A; Approx. Time Counter : 34.9 - 35.5}**

**Discussion:** Reps. Bookout-Reinicke, Golie, Hedges, Brainard, Anderson.

**{Tape : 1; Side : A; Approx. Time Counter : 35.5 - 38}**

**Motion/Vote:** REP. ROBERT CLARK moved that HB 172 BE AMENDED.

**Motion carried unanimously. 17-0.**

**{Tape : 1; Side : A; Approx. Time Counter : 38 - 38.3}**

**Motion:** REP. ROBERT CLARK moved that HB 172 DO PASS AS AMENDED.

**{Tape : 1; Side : A; Approx. Time Counter : 38.3 - 38.4}**

**Discussion:** Reps. Brainard, Anderson, Somerville, Adams, Bob Clark, Paul Clark, Golie.

**{Tape : 1; Side : A; Approx. Time Counter : 41.4 - 44.5}**

**Motion/Vote:** REP. ADAMS moved that HB 172 BE TABLED. Motion failed 2-16.

**{Tape : 1; Side : B; Approx. Time Counter : 0.1 - 0.3}**

**Discussion:** Reps. Brainard, Gallus, Golie; Reps. Anderson, Juneau, Paul Clark to Bob Turner, without objection; Reps. Adams, Gallus.

**{Tape : 1; Side : B; Approx. Time Counter : 0.2 - 9.7}**

**Motion:** REP. BRAINARD moved that HB 172 BE AMENDED.

**{Tape : 1; Side : B; Approx. Time Counter : 9.7 - 10.6}**

**Discussion:** Reps. Golie, Bookout-Reinicke, Hedges; Rep. Somerville to Leanne Kurtz for explanation.

**{Tape : 1; Side : B; Approx. Time Counter : 10.6 - 14.5}**

**Vote:** Motion to amend HB 172 carried 15-2 with Reps. Robert Clark and Paul Clark voting no.

**{Tape : 1; Side : B; Approx. Time Counter : 14.5 - 15}**

**Motion/Vote:** REP. BRAINARD moved that HB 172 DO PASS AS AMENDED.

**Motion carried unanimously. 18-0**

**{Tape : 1; Side : B; Approx. Time Counter : 15 - 15.6}**

#### **EXECUTIVE ACTION ON HB 208**

**Motion:** REP. TREXLER moved that HB 208 DO PASS.

**{Tape : 1; Side : B; Approx. Time Counter : 15.6 - 17.3}**

**Discussion:** Reps. Adams, Bob Clark, Golie, Gallus. **{Tape : 1; Side : B; Approx. Time Counter : 17.3 - 21.5}**

**Motion:** REP. GALLUS moved that HB 208 BE AMENDED.

*{Tape : 1; Side : B; Approx. Time Counter : 21.5 - 22.3}*

**Discussion:** Reps. Somerville, Bob Clark, Hanson, Gallus. Leanne Kurtz gave an explanation.

*{Tape : 1; Side : B; Approx. Time Counter : 22.3 - 28.2}*

**Vote:** Motion to amend HB 208 failed on a tie vote 9-9.

*{Tape : 1; Side : B; Approx. Time Counter : 28.2 - 28.3}*

**Substitute Motion/Vote:** REP. BARNETT made a substitute motion that HB 208 BE TABLED. Substitute motion carried 17-1.

*{Tape : 1; Side : B; Approx. Time Counter : 28.3 - 31.8}*

**EXECUTIVE ACTION ON SB 10**

**Motion/Vote:** REP. SOMERVILLE moved that SB10 BE CONCURRED IN. Motion carried unanimously. 18-0.

*{Tape : 1; Side : B; Approx. Time Counter : 31.8 - 37}*

**ADJOURNMENT**

Adjournment: 4:20 P.M.

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REP. SHIELL ANDERSON, Chairman

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MARY LOU SCHMITZ, Secretary

SA/MS

**EXHIBIT**(trh13aad)